

§ 505.13

standard format for this notification. At a minimum, the initial notification will have items (a) through (f) provided.

(3) A revised Litigation Status Sheet must be provided at each stage of the litigation.

(4) When a court renders a formal opinion or judgment, copies must be provided to the Defense Privacy Office by the Army Litigation Division.

(c) *Administrative remedies—Privacy Act complaints.* (1) The installation level Privacy Act Officer is responsible for processing Privacy Act complaints or allegations of Privacy Act violations. Guidance should be sought from the local Staff Judge Advocate and coordination made with the system manager to assist in the resolution of Privacy Act complaints. The local Privacy Act officer is responsible for—

(i) Reviewing allegations of Privacy Act violations and the evidence provided by the complainants;

(ii) Making an initial assessment as to the validity of the complaint, and taking appropriate corrective action;

(iii) Coordinating with the local Staff Judge Advocate to determine whether a more formal investigation such as a commander's inquiry or an AR 15-6 investigation is appropriate; and

(iv) Ensuring the decision at the local level from either the Privacy Act Officer or other individual who directed a more formal investigation is provided to the complainant in writing.

(2) The decision at the local level may be appealed to the next higher command level Privacy Act Officer.

(3) A legal review from the next higher command level Privacy Act Officer's servicing Staff Judge Advocate is required prior to action on the appeal.

§ 505.13 Computer Matching Agreement Program.

(a) *General provisions.* (1) Pursuant to the Privacy Act and this part, DA records may be subject to computer matching, i.e., the computer comparison of automated systems of records.

(2) There are two specific kinds of Matching Programs covered by the Privacy Act—

(i) Matches using records from Federal personnel or payroll systems of records; and

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(ii) Matches involving Federal benefit programs to accomplish one or more of the following purposes—

(A) To determine eligibility for a Federal benefit;

(B) To comply with benefit program requirements; and

(C) To effect recovery of improper payments or delinquent debts from current or former beneficiaries.

(3) The comparison of records must be computerized. Manual comparisons are not covered.

(4) Any activity that expects to participate in a Computer Matching Program must contact the DA FOIA/P Office immediately.

(5) In all cases, Computer Matching Agreements are processed by the Defense Privacy Office and approved by the Defense Data Integrity Board. Agreements will be conducted in accordance with the requirements of 5 U.S.C. 552a, and OMB Circular A-130.

(b) *Other matching.* Several types of computer matching are exempt from the restrictions of the Act such as matches used for statistics, pilot programs, law enforcement, tax administration, routine administration, background checks, and foreign counterintelligence. The DA FOIA/P Office should be consulted if there is a question as to whether the Act governs a specific type of computer matching.

§ 505.14 Recordkeeping requirements under the Privacy Act.

(a) *AR 25-400-2, The Army Records Information Management System (ARIMS).* To maintain privacy records are required by the Army Records Information Management System (ARIMS) to provide adequate and proper documentation of the conduct of Army business so that the rights and interests of individuals and the Federal Government are protected.

(b) A full description of the records prescribed by this part and their disposition/retention requirements are found on the ARIMS Web site at <https://www.arims.army.mil>.

APPENDIX A TO PART 505—REFERENCES

(a) The Privacy Act of 1974 (5 U.S.C. 552a, as amended).

(b) OMB Circular No. A-130, Management of Federal Information Resources.